



UNITED STATES DISTRICT COURT
for the
Eastern District of Wisconsin

United States of America

v.
CURTIS FISHER JR.

)

Case No.

22-M-539 (SCD)*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of Jan. 16, 2022 - Feb. 17, 2022 in the county of _____ in the
_____Eastern District of Wisconsin, the defendant(s) violated:

*Code Section**Offense Description*

18 U.S.C. 922(o)

Illegal possession of a machine gun

18 U.S.C. 371

Conspiracy to commit a substantive offense

18 U.S.C. 922(g)(3)

Possession of a Firearm by an unlawful user of a controlled substance

This criminal complaint is based on these facts:

See Attached Affidavit

Continued on the attached sheet.

Complainant's signature

Matthew Ernst, Special Agent, ATF*Printed name and title*

Sworn via telephone; transmitted via email
pursuant to Fed. R. Crim. 4.1

Date: 10-7-22

Judge's signature

City and state: Milwaukee, WisconsinHon. Stephen C. Dries, U.S. Magistrate Judge*Printed name and title*

AFFIDAVIT

I, Matthew Ernst, being duly sworn, state that the following information is true to the best of my knowledge, information and belief:

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (hereinafter “ATF”). As such, I am “an investigator or officer charged by the Attorney General with the duty of enforcing any of the criminal, seizure, or forfeiture provisions of the laws of the United States,” within the meaning of Section 3051(a) of Title 18, United States Code; that is, an officer of the United States who is empowered by law to conduct investigations of, execute warrants and to make arrests for offenses against the United States and offenses enumerated in United States Code Title 18 and Title 21. I have been employed with the ATF since January 2015, and am currently assigned to the Milwaukee Field Office, under the Chicago Field Division. I completed Criminal Investigative Training and Special Agent Basic Training at the Federal Law Enforcement Training Center. I have received training in connection with, and conducted investigations of violations of the National Firearms Act, Gun Control Act, and Title 18, United States Code, Sections 922(g), 922(o), 924(c) and others. I have also received training and conducted investigations involving illicit drugs and the distribution of illicit drugs in violation of Title 21, United States Code, Sections 841, 843, 846 and others. As a result of those investigations and prosecutions, I have become familiar with the various tendencies and techniques utilized by individuals unlawfully in possession of firearms and ammunition as well as individuals unlawfully engaging in narcotics trafficking.

2. Because this affidavit is being submitted for the limited purpose of establishing probable cause for an arrest warrant authorizing the arrest of Curtis FISHER JR. (“FISHER”), I have not

included each and every fact known to me concerning this investigation. Instead, I have set forth only the facts that I believe are necessary to establish probable cause.

3. In March of 2022, ATF initiated an investigation into FISHER regarding the seizure of two (2) FedEx packages by the U.S. Customs and Border Patrol (CBP) which contained several metal pieces, once assembled, would make a total of five (5) Glock auto-sears¹. Both seized FedEx packages were initially shipped from Guangshou, China by Xie Fenghua Xie and were addressed to “Luckyy Rich” at 3745 N. 25th Street, Milwaukee, WI with telephone number 414-502-4225 printed on the shipping label. The following is a synopsis of the seizure of the two (2) FedEx packages:

- a. On or about February 17, 2022, the first package was intercepted in Anchorage, Alaska and contained five metal disconnector members and five metal selector switches. CBP determined the metal parts were pieces to a GLOCK auto-sear, utilizing an ATF determination, from China and were prohibited from importation.
- b. Continuing on or about February 17, 2022, the second package was intercepted in Memphis, Tennessee and contained five metal housing parts. CBP determined the metal parts were pieces to a GLOCK auto-sear, utilizing an ATF determination, from China and were prohibited from importation.

4. It is important to note, your affiant knows based on training and experience the seized metal parts resemble the key components needed to make a Glock auto-sear and for it to properly function as a machine-gun. The housing piece would be mounted to the slide of the firearm; the

¹ A Glock auto-sear is a machinegun-conversation device intended for use in converting semiautomatic Glock pistols to fire automatically. The conversation device can be composed of an aluminum or polymer/plastic housing, which is dimensionally configured as a drop-in replacement part for the polymer slide cover of a Glock pistol. Conversation devices usually house an integral metal or polymer “leg” which is designed to depress the trigger bar as the pistol locks into battery. A selector button that moves to the left or right which is designed to allow the pistol to operate in both automatic and semiautomatic modes.

selector switch would act as a fire selector system and the disconnector member manipulates the trigger bar of the firearm.

5. Case agents, utilizing law enforcement databases, were able to identify telephone number 414-502-4225 as being associated to FISHER. Furthermore, case agents conducted a query of the Milwaukee Police Departments (MPD) reporting system for FISHER. The query revealed FISHER was involved in a vehicular accident on March 22, 2021 and July 5, 2021. In both incidents FISHER provided his telephone number as being 414-502-4225 and address as 3745 N. 25th Street, Milwaukee, WI.

6. Database inquiries conducted into the sender of the packages and FISHER resulted in identifying three (3) prior parcels that were not seized by law enforcement. All three (3) packages were delivered in January of 2022.

7. On or about March 3, 2022, your affiant reviewed FedEx Package Inquiry Report(s) for the seized FedEx Packages described above in paragraph 3.a. and 3.b. of this affidavit. Your affiant observed on February 23, 2022, FISHER made a claim stating he had not received any other update on the package status. FISHER listed “414-502-4225” as his telephone number and “roadgolorryfisher@gmail.com” as his email.²

8. On or about March 9, 2022, law enforcement executed a State search warrant at FISHER’S residence, located at 3745 N. 25th Street, Milwaukee, WI. As a result, case agents seized a Century Arms International (CAI), model VSKA, 7.62mm pistol bearing serial number SV7P005735, a Glock, Model 17, 9mm caliber pistol bearing serial number BTMP885, and numerous assorted caliber ammunition.

² You affiant notes the phone number and email address to be very similar to those associated with FISHER and believe the additional “2” in the phone number and the spelling of the email address to be typographical errors when the note was entered into the FedEx packaging notes.

9. Continuing on or about March 9, 2022, case agents conducted an interview of FISHER. FISHER was read his Miranda Rights, waived them, and agreed to speak with case agents. FISHER provided investigators his telephone number as being 414-502-4225. FISHER also provided fishercu25@gmail.com and roadtogglerfisher@gmail.com as email addresses he utilizes. FISHER stated he solely resides at 3745 N. 25th Street, Milwaukee, WI. Case agents inquired with FISHER why Glock auto-sears were being mailed to his residence and what involvement FISHER had in their procurement. FISHER stated everybody who is in the streets of Milwaukee is looking to purchase Glock auto-sears to install on their firearms. FISHER stated sometime during the summer of 2021, Jerel BRITTON met with FISHER and informed him that an undisclosed friend of BRITTON'S had a “switch”, referring to a Glock auto-sear, for sale. FISHER stated he did not purchase the Glock auto-sear from BRITTON'S friend and did not know how much they were selling the Glock auto-sear for. FISHER informed investigators BRITTON is his half-brother.

10. FISHER stated sometime around Christmas of 2021, BRITTON met with FISHER and informed FISHER he had found a place where they could purchase Glock auto-sears. FISHER stated BRITTON told him to download an application on FISHER'S cellular telephone called “Alibaba³”. FISHER stated prior to this conversation with BRITTON, he had downloaded the Alibaba application and created an account because he had been looking at clothing vendors for his clothing line. FISHER stated the individual BRITTON had found who was selling the Glock auto-sears told him to download WhatsApp so that they could text message. FISHER stated BRITTON and him were together while BRITTON was text messaging the individual selling the Glock auto-sears. FISHER stated he reviewed their conversation and saw BRITTON was talking with an individual who identified themselves as “DORIS.” FISHER informed investigators the

³ Alibaba Group Holding Limited, also known as Alibaba, is a Chinese multinational technology company specializing in e-commerce, retail, Internet, and technology.

conversations with “DORIS” via WhatsApp occurred on FISHER’S cellular telephone. FISHER stated “DORIS” provided them with a link via the WhatsApp conversation, which led them to a page on the Alibaba mobile application where they could purchase the Glock auto-sears. FISHER stated the link directed them to a page that had a picture of “screws.” BRITTON then instructed FISHER to go to Walgreens to put money on a pre-paid credit/debit card in order to purchase the Glock auto-sears. FISHER stated he received tracking information, tracked the package for BRITTON, when it was delivered, secured it inside his residence, and later in the day, after the package was delivered, came to FISHER’S residence and took the package. FISHER stated he did not know what BRITTON did with the Glock auto-sears after he picked them up from FISHER. FISHER stated this was the first purchase they made, and he believes it was for two (2) Glock auto-sears. FISHER stated only two (2) were purchased the first to make sure it was “legit”, and they arrived in one (1) FedEx package.

11. FISHER stated a couple weeks after the first package was delivered, BRITTON contacted FISHER and inquired if FISHER had any money on his pre-paid credit/debit card. FISHER informed BRITTON that he didn’t, and BRITTON asked FISHER to purchase more Glock auto-sears for him. FISHER stated “DORIS” sent FISHER a new link, through WhatsApp, to access the page to order the Glock auto-sears. FISHER stated he ordered the Glock auto-sears, but they were for BRITTON. FISHER stated after they were delivered, he gave the package(s) to BRITTON, and he does not know what BRITTON did with them. FISHER stated he believed five (5) Glock auto-sears were purchased the second time and arrived in two (2) separate FedEx packages.

12. FISHER stated the third and final time they ordered Glock auto-sears was sometime after “tax season,” referring to sometime after January of 2022. FISHER stated he had money on his

card, due to getting money back from doing his taxes, and paid for another order of Glock auto-sears. FISHER stated the process was the same as the other times they had ordered the Glock auto-sears. FISHER stated unlike the first two (2) times however these Glock auto-sears were never delivered. FISHER stated BRITTON was “sweating” him over the Glock auto-sears not being delivered. FISHER stated BRITTON came to his residence a couple days ago, with one (1) of FISHER’S girlfriends, and knocked on FISHER’S window. BRITTON accused FISHER of “backdooring” him on the Glock auto-sears and selling them for himself.

13. FISHER stated each time they ordered the Glock auto-sears he purchased them with his own money and that BRITTON would reimburse him for them. FISHER stated he was not getting paid more money to facilitate the purchases but would round up to the nearest hundred when getting repaid by BRITTON. FISHER stated he believed they paid \$270.00 for the Glock-auto sears. FISHER stated the purchases were made utilizing his Cash App debit card. FISHER stated he never opened any of the FedEx packages that were delivered, but knew they were Glock auto-sears.

14. FISHER explained a Glock auto-sear is installed onto the backplate of a firearm and allows the firearm to function as a machinegun. FISHER stated multiple rounds are expelled from the firearm with one (1) pull of the trigger when a Glock auto-sear is installed on a firearm. FISHER stated he has never fired a firearm with a Glock auto-sear installed on the firearm.

15. FISHER informed investigators he thought law enforcement executed a search warrant on his residence due to a shooting incident he was involved in several day’s prior. FISHER stated he was with his friend and their girlfriend and went to the corner store located at 3700 N. 26th Street, Milwaukee, WI for blunt wrappers. FISHER stated he had his Glock pistol on his person. FISHER stated he went inside the store first and as he was coming out his friend entered the store. After

FISHER exited the store, he observed an unknown black (UM1) male wearing all black, a ski mask and hoodie, and had a pistol sticking off his person walking from West Keefe Avenue. FISHER stated UM1 went into the corner store and shortly after his friend came out informed FISHER, he had an altercation with the UM1 inside the store. FISHER stated when the UM1 came out of the store he was brandishing his firearm towards the direction of their vehicle; which was parked facing Northbound on the Northeast corner of N. 26th Street and W. Nash Street. FISHER stated he got out of the rear driver's side passenger compartment and while doing so stated UM1 fired his weapon. FISHER stated he shot back at UM1 approximately four (4) to six (6) times and was unsure how many times UM1 fired towards them. FISHER stated he was in the street shooting towards the UM1 who was over by the dumpsters on the side of the store on West Nash Street. FISHER stated he did not call the police after the incident. FISHER stated the Glock pistol that was recovered by law enforcement as a result of the search warrant was the pistol he utilized in this shooting.

16. FISHER admitted to being a marijuana drug user and stated he has smoked marijuana since the age of sixteen (16). FISHER stated he smokes marijuana every now and then but when he does, he smokes a lot of marijuana.

17. Fisher consented to an extraction of his cellular phone. Through your affiants review of the extraction, it revealed evidence consistent with FISHER'S acquisition of the switches and further evidence of him being a user in possession of a firearm. Even further, the phone extraction revealed that Fisher was much more involved in the conspiracy to acquire and distribute the switches than he originally admitted. Your affiant observed images of firearms with Glock auto-sears attached to them along with drum magazines, videos documenting prices and sale conditions for Glock auto-sears, and a "Note" which appeared to be a ledger for the distribution of the Glock auto-sears.

18. Review of FISHER'S WhatsApp conversation with "Doris" revealed extensive conversation between the two regarding the procurement of Glock auto-sears beginning as early as January 2022.

19. An ATF firearms nexus expert has determined that the aforesaid firearms were manufactured outside of the State of Wisconsin and therefore affected interstate commerce by being found within the State of Wisconsin.

20. Therefore, based on all of the foregoing, there is probable cause to believe that between January 16, 2022, to February 17, 2022, FISHER was illegally in possession of a machine gun and committed conspiracy to commit a substantive offense in violation of Title 18, United States Code, Section 922(o) and Title 18, United States Code 371. Furthermore, there is probable cause to believe that on March 9, 2022, in the Eastern District of Wisconsin, FISHER, as an unlawful user of marijuana, did knowingly possess, in and affecting commerce, firearms, in violation of Title 18, United States Code, Section 922(g)(3).